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related to both an Alpaugh JPA Board Member and an employee of the Memorial District.

CONCLUSIONS

This impoverished community has three Districts and a Joint Powers Authority that must fill their Boards with citizens from within the service area. A community this small is unlikely to have enough people with the time, interest and experience to function as qualified board members. It appears that the needs of the community would be better served by a consolidation to a Public Utilities District or a Community Service District as permitted by law.

Because Board meetings are not controlled, business cannot be conducted in an orderly and expeditious manner. This condition is aggravated by the polarization of the Board.

The Alpaugh JPA Board of Directors appear to have no knowledge of the Joint Exercise of Powers Agreement, the By-Laws or any California Government Codes that relate to the administration of Special Districts.

The over vigilance of staff and yelling at employees created a stressful and hostile workplace.

RECOMMENDATIONS

1. Read and adhere to the By-Laws of the Alpaugh JPA and the Joint Exercise of Powers Agreement and resolve any conflicts in these documents.
2. Alpaugh JPA conduct all meetings within the guidelines of Robert's Rules of Order.
3. Allow a designated public comment time as required by the Ralph M. Brown Act.

4. Allow comments from the public outside of public comment time only when asked for and recognized by the Chairman.
5. Board Members address the public only when recognized by the Chairman.
6. Use a job selection process that ensures a qualified person is placed in all positions. Promote office staff to management only when definite knowledge, skills and abilities to fill that position are demonstrated.
7. No one other than the Executive Director involve themselves in the day to day operations or management of the Alpaugh JPA.
8. Amend the By-Laws of the Alpaugh JPA and the Joint Exercise of Powers Agreement to appoint an Executive Director only in the absence of a Manager.
9. Keep personnel files up to date in a secure location and provide a written performance evaluation at least every two years.
10. Comply with Senate Bill 343, which became law on July 1, 2008, by posting the following notice on the agenda:
 "Written materials relating to an item on this Agenda that are distributed to the Alpaugh Joint Powers Authority within 72 hours before it is to consider the item at its regularly scheduled meeting will be made available for public inspection at 5516 Tule Rd. Alpaugh, Ca. during normal business hours."
11. All Board Members attend the County Government 101 course. (A training initiated by the Tulare County Board of Supervisors facilitated by County

Counsel and other local attorneys for all governing board members).

12. The Alpaugh JPA Board and management strictly adhere to the Employee Handbook and all State and Federal guidelines covering sexual harassment.
13. Rewrite the Employee Handbook and amend the Alpaugh JPA By-Laws to include procedures requiring all employees, managers and Board Members to immediately report any incident of sexual harassment. This requirement would then trigger a mandatory investigation by the Manager and/or the Board of Directors and the results of this investigation be documented and kept on file.

RESPONSES REQUIRED

Alpaugh Joint Powers Authority
Tulare County Water Works No. 1
Alpaugh Irrigation District
South Tulare County Memorial District

TEVISTON CITIZENS DESERVE BETTER

BACKGROUND

Teviston Community Service District (CSD) was established in November 1956. Teviston is a small unincorporated community of approximately 365 residents. It is principally surrounded by agricultural production on the north, west and south. The east side of Teviston consists of scattered rural residential areas, along with some agricultural areas and vacant land. The Teviston CSD is responsible for providing domestic water service to the residents within the district boundaries. Presently there are approximately 132 total residential and commercial connections.

The Teviston CSD is governed by elected Board Members.

REASONS FOR INVESTIGATION

The 2009-2010 Tulare County Grand Jury received citizen complaints alleging intimidation, sexual harassment, misrepresentation, an illegal well, Brown Act violations, voter fraud, ignorance of CSD ordinances and/or California Government Code by Board Members.

of the Ralph M. Brown Act. (California Government Code 54953)

4. Government codes listed on agendas identifying items to be discussed during closed sessions were incorrect.
5. The Board has adopted "Rules of Decorum" which are not followed.

PROCEDURES FOLLOWED

1. Interviewed relevant witnesses.
2. Reviewed relevant documents.
3. Attended Teviston CSD Board meetings.

6. Some Board Members appear to be unfamiliar with California Government Codes Sections 1779, 54950-54963 and 58000-61226.5 covering Special Districts.

FINDINGS

1. Board meetings were not held as required by California Government Code Section 61044, at least one per quarter.
2. Minutes of some 2008 through 2010 Board meetings were not recorded, others could not be found by the CSD.
3. Several Board meetings were entirely closed to the public and did not allow for public comment which is a violation

7. Three of the five Board Members did not attend the County Government 101 class offered in November 2009.
8. Two vacancies on the Board were not filled as required by California Government Code Section 1779.
9. Audits were not performed as required by California Government Code Section 26909.
10. One Board Member solicited donations from corporations in the name of the CSD without authorization from the